

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 L-03 CIAE-00 INR-11 NSAE-00 RSC-01 PM-07

DRC-01 /038 W

----- 061841

P 140344Z AUG 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 3904

UNCLAS SECTION 1 OF 2 TOKYO 10534

E.O. 11652: N/A

TAGS: MARR, JA

SUBJECT: JOINT COMMITTEE AND FJC CASE OF SGTS LOCKE AND JOHNSON

FOLLOWING SENT ACTION CINCPAC INFO JCS WASHDC SECDEF WASHDC
CSAF WASHDC/JA DA WASHDC/DAJA-IA NAVY JAG WASHDC CINCPACAF
AMEMB TOKYO FROM COMUSJAPAN AUG 130716Z REPEATED FOR YOUR ACTION
QUOTE

UNCLAS SECTION I OF II

JCS FOR LEGAL AND LEGISLATIVE ADVISOR; SECDEF FOR
GEN COUNSEL AND ISA.

SUBJ: JOINT COMMITTEE AND FJC CASE OF SGTS LOCKE
AND JOHNSON.

US REPRESENTATIVE TO JOINT COMMITTEE SENDS:

1. SECOND FORMAL MEETING OF CRIMINAL JURISDICTION
SUBCOMMITTEE HELD AT 1400 HRS, 12 AUG 74, AT SANNO
IN TOKYO.

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2. JAPANESE CHAIRMAN SUBMITTED A WRITTEN STATEMENT
OF FACT CONCERNING SHOOTING INCIDENT AS FOLLOWS:
QUOTE. THE SITE OF THIS INCIDENT IS A GUNNERY RANGE
FOR AIRPLANES WHICH IS SITUATED IN THE NORTH-WESTERN
PART OF IE SHIMA, KUNIGAMI-GUN, OKINAWA-KEN AND
CONTROLLED BY DET. &1, 824TH COMBAT SUPPORT GROUP,
313TH AIR DIVISION, USAF STATIONED IN OKINAWA. THE
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SUSPECTS IN THIS CASE, SGT. CARROLL E. LOCKE AND SGT.

HAROLD W. JOHNSON, BOTH ASSIGNED TO DET. #1 ABOVE, WERE ENGAGED, ON THE DAY OF THE INCIDENT, IN THEIR FUNCTIONS PERTAINING TO THE BOMBING AND GUNNERY PRACTICE CARRIED OUT AT THE ABOVE GUNNERY RANGE AND THE BOMBING RANGE IN THE NORTH. THEIR FUNCTIONS WERE, TO PUT IT CONCRETELY: (1) PREPARATION FOR THE COMMENCEMENT OF PRACTICE, (2) ASSISTANCE IN SCORING DURING THE PRACTICE AND (3) CLEARING OF VARIOUS EQUIPMENTS AND PUTTING THE RANGE IN ORDER AFTER THE CONCLUSION OF THE PRACTICE.

THE EXACT TIME WHEN THE LAST PRACTICE WAS OVER ON THE DAY OF THIS INCIDENT IS NOT CLEAR, BUT IT

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APPEARS TO HAVE BEEN 17:00 OR 17:30 HOURS. BOTH SERGEANTS, WHO WERE WORKING AT THE SOUTH TOWER, WERE LEAVING THERE BY A MILITARY THREE-FOURTHS PICKUP TRUCK TO CLEAR THE CLOTH HANGING USED AS TARGETS (TARGET SAILS) IN THE STRAFE PIT AND DO OTHER JOBS TO PUT THE RANGE IN ORDER AND, AT THE TIME, SGT. LOCKE TOOK A FLARE GUN AND TWO FLARES (RED AND GREEN) FROM A BOX IN WHICH THEY WERE TO BE SOTRED, AND CARRIED THEM WITH HIM.

INCIDENTALLY, THE USE OF A FLARE GUN IS TO BE PERMITTED ONLY IN SUCH CASE OF EMERGENCY AS WHERE COMMUNICATION BETWEEN THE CONTROL TOWER OF THE RANGE AND THOSE AIRPLANES WHICH PARTICIPATE IN THE PRACTICE IS SUSPENDED, DUE TO SOME TROUBLES OF COMMUNICATION FACILITIES. THE FLARE GUNS AND FLARES ARE STORED IN IRON BOXES IN BUTLER BUILDING IN THE RANGE, AND THEY ARE PUT IN WOODEN BOXES BEFORE THE COMMENCEMENT OF THE PRACTICE AND CARRIED TO A TOWER BY A PICKUP TRUCK, AND THEN THE GUNS ARE SET UP AT AN ANGLE OF 45 DEGREES AT A FIXED PLACE IN THE

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TOWER. AFTER THE PACTICE IS OVER, THEY ARE AGAIN PUT IN THE WOODEN BOXES, AND MUST BE CARRIED TO BUTLER BUILDING TO BE STORED IN THE IRON BOXES. THEREFORE, NO SOILDER IS PERMITTED TO CARRY A FLARE GUN ON HIS BODY, OF HIS OWN ACCORD. SGT. LOCKE DARED TO VIOLATE SUCH A STRICT REGULATION REGARDING FLARE GUNS AND CARRIED ONE WITH HIM, WHILE SGT. JOHNSON, KNOWING IT, DROVE

THE TRUCK TO THE PIT WITH SGT. LOCKE IN IT.
IN THE MEANTIME, YAMASHIRO, JASUJI, VICTIM,
HAD COME TO THE GATE IN FRONT OF THE EAST TOWER OF
THE RANGE TOGETHER WITH HIS FATHER, MORIYASU,
BEFORE THE PRACTICE WAS OVER, AND WAS CUTTING
GRASS AROUND THERE, WAITING FOR THE DAY'S PRACTICE
TO COME TO AN END. AFTER CONFIRMING THAT THE RED
FLAGS DISPLAYED AT THE NORTH AND SOUTH TOWERS HAD
BEEN LOWERED, THEY HEADED FOR THE STRAFE PIT AREA
BY A PICKUP TRUCK, DROVE IT INTO THE AREA, STOPPED AND
GOT OFF IT AND BEGAN TO LOOK FOR EXPENDED BRASS,
APART FROM EACH OTHER. AT THAT TIME, SCORES OF

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LOCAL RESIDENTS WERE ALREADY PICKUP UP BRASS AND
CUTTING GRASS INSIDE THE AREA.
ON THE OTHER HAND, SGTS. LOCKE AND JOHNSON
OBSERVED SOME JAPANESE INSIDE THE PIT AREA WHEN THEY
WERE LEAVING THE SOUTH TOWER. THESE JAPANESE, WHO
SAW THE TWO SERGEANTS DRIVING INTO THE AREA, RAN TO
THE BEACH AFTER MAKING THEIR WAY THROUGH THE RENTS
OF THE WIRE FENCE ON THE BEACH SIDE OF THE PIT AREA.
THE TWO SERGEANTS CHASED THEM, DRIVING ACROSS THE
PIT AREA AND CAME TO THE BEACH SIDE OF IT. THERE
SGT. LOCKE FIRED THE FLARE GUN IN THE DIRECTION OF
THE JAPANESE WHO WERE ALREADY ON THE BEACH.
THEREAFTER, THEY REMOVED THE CLOTH HANGINGS USED
AS TARGETS.
IT WAS WHEN THEY WERE REMOVING THE CLOTH
HANGINGS THAT THE VICTIM ARRIVED IN THE PIT AREA.
AFTER FINISHING THIS REMOVING WORK, THE TWO
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SERGEANTS GOT ON THE TRUCK AND, SGT. JOHNSON
DRIVING, WERE TO HEAD FOR THE SOUTH TOWER BY TAKING
THE ROAD ALONG THE PIT AREA TO PICK UP AT THE TOWER

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LT. SROMEK, RANGE CONTROL OFFICER FOR THE DAY AND
RETURN TO THE BARRACKS. BUT, AS THEY SAW SCORES OF
LOCAL RESIDENTS INSIDE THE PIT AREA, THEY AGAIN
DROVE INTO THE AREA. THE SPEED OF THE TRUCK AT
THE TIME CANNOT BE ASCERTAINED, BUT IT WAS A
CONSIDERABLY HIGH SPEED, THE VICTIM, YAMASHIRO,
WHO WAS PICKING UP BRASS NEAR THE BEACH SIDE OF THE
AREA, SAW THE TRUCK DASHING TOWARDS HIM AT A HIGH

SPEED. HE RAN TOWARDS THE BEACH SIDE, TO AVOID
BEING HIT BY THE TRUCK, THINKING THAT HE SHOULD
RUN THERE AS NO TRUCK COULD COME. THE TWO
SERGEANTS KEPT DRIVING AND CHASED ONLY THE VICTIM
WHO WAS RUNNING TOWARDS THE BEACH, WITHOUT
TURNING THEIR EYES TO THE MANY OTHER LOCAL
RESIDENTS WHO WERE AROUND THERE. WHEN THE VICTIM
REACHED THE FENCE ON THE BEACH SIDE OF THE PIT AREA
AND RAN OUT OF IT, SGT. JOHNSON STOPPED THE TRUCK,
TURNING IT SO THAT THE ASSISTANT DRIVER'S SIDE WAS
TOWARDS THE BEACH, AND SGT. LOCKE LEVELED THE FLARE
GUN, TOOK AIM AT THE VICTIM FOR ONE TO TWO SECONDS
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HODGSON

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ACTION EA-14

INFO OCT-01 ISO-00 PM-07 L-03 CIAE-00 INR-11 NSAE-00

RSC-01 DRC-01 /038 W

----- 061842

P 140334Z AUG 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 3905

UNCLAS SECTION 2 OF 2 TOKYO 10534

E.O. 11652: N/A

TAGS: MARR, JA

SUBJECT: JOINT COMMITTEE AND FJC CASE OF SGTS LOCKE AND JOHNSON

FOLLOWING SENT ACTION CINCPAC INFO JCS WASHDC SECDEF WASHDC
CSAF WASHDC/JA DA WASHDC/DAJA-IA NAVY JAG WASHDC CINCPACAF
AMEMB TOKYO FROM COMUSJAPAN AUG 130716Z REPEATED FOR YOUR ACTION
QUOTE

UNCLAS SECTION II OF II

AND FIRED IT FROM BEHIND THE VICTIM WHO WAS ALREADY
OUTSIDE THE PIT AREA. THE FLARE HIT THE VICTIM ON
THE WRIST OF HIS LEFT ARM AND HE FELL TO THE GROUND.
THE TWO SERGEANTS MADE THE VICTIM AND HIS
FATHER WHO SAW THE INCIDENT AND DASHED TO THE VICTIM

RIDE IN THEIR TRUCK AND HANDED THEM OVER TO TOYONOBU MIYASATO, A JAPANESE RANGE GUARD AT THE SOUTH TOWER, BUT THEY GAVE HIM NO INSTRUCTIONS TO TURN THE VICTIM

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OVER TO THE LOCAL POLICE AS A SUSPECTED THIEF OR TO INFORM THE LOCAL POLICE OF THIS INCIDENT AS A THEFT CASE, NOR DID THEY RECOVER THE EXPENDED BRASS FROM THE VICTIM OR HIS FATHER, AND THEY DID NOT SEARCH THEIR PERSON, EITHER, FOR THAT PURPOSE. BY THE WAY, ACCORDING TO THE DIAGNOSIS OF DR. ICHIRO TAMAZAWA, THE VICTIM SUFFERED A FIREARM UNCLASSIFIED

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WOUND IN THE LEFT ANTEBRACHIUM REQUIRING ABOUT THREE WEEKS TREATMENT. UNQUOTE. US CHAIRMAN STATED US SIDE WOULD STUDY THE STATEMENT SUBMITTED BY THE JAPANESE SIDE AND WILL BE PREPARED TO PRESENT THE US RATIONALE AND REASONS FOR ISSUING DUTY CERTIFICATES AT THE NEXT MEETING. 3. US CHAIRMAN STATED US WAS PREPARED TO PROVIDE GOJ WITH THE REQUESTED TEN FLARES FOR TESTING AND EVALUATION; HOWEVER, HE SUGGESTED ANY TEST BE JOINTLY CONDUCTED BY EXPERTS FROM BOTH US AND JAPANESE SIDES TO PRECLUDE LATER DISPUTES OVER CONDITIONS OF AND VARIANCE IN RESULTS OF TESTS. IT

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WAS AGREED WHEN THEIR IDENTITY WAS ASCERTAINED, THE US AND JAPANESE EXPERTS WOULD GET TOGETHER TO WORK OUT DETAILS FOR JOINT TESTING. 4. DETAILS CONCERNING ORAL GUARD INSTRUCTIONS GIVEN TO LOCKE AND JOHNSON WERE INCLUDED IN A STATEMENT OF FACTS GIVEN TO JAPANESE REPRESENTATIVES AT THE FIRST SUBCOMMITTEE MEETING ON 5 AUG 74. THAT STATEMENT OF FACTS PRESENTED ON 5 AUG 74 IS AS FOLLOWS: QUOTE. SGTS JOHNSON AND LOCKE WERE ASSIGNED TO THE IE SHIMA GUNNERY RANGE AT THE SAME TIME IN SEPT 1973, PRIOR TO ASSUMING THEIR DUTIES THEY WERE BRIEFED BY SSGT FRANK MARTINEZ, NCOIC OF THE RANGE, SSGT LARRY GRAMPS, ASST NCOIC, AND CAPT PEPPARD, SITE MANAGER, THAT IN ADDITION TO THEIR RANGE CONTROL FUNCTIONS THEIR DUTIES WOULD INCLUDE PICKING UP EXPENDED BRASS ON THE RANGE AND CHASING LOCAL NATIONALS WHO WERE STEALING BRASS.

FURTHER, IF THEY CAUGHT ANY JAPANESE THEY WERE NOT
TO HURT THEM BUT WERE TO TURN THEM OVER TO THE
OKINAWAN RANGE GUARD WHO IN TURN WOULD TURN THEM

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IN TO THE LOCAL POLICE. JOHNSON AND LOCKE WORKED AT
THE RANGE ON 10 JULY 74 AND AT APPROXIMATELY 1330 HRS
JOHNSON SAW SOME JAPANESE DOWNRANGE. WHEN HE WENT
DOWN TO GET THEM OFF THE RANGE, THEY RAN OVER A HILL.
AT THE CONCLUSION OF THE DAYS GUNNERY PRACTICE AT
APPROXIMATELY 1730 HOURS, JOHNSON AND LOCKE SECURED
THE FLARE GUN IN AN AMMOT BOX AND TOOK IT, THE BINOC-
ULARS AND RADIOS FROM THE TOWER AND PUT THEM IN A
PICKUP TRUCK. WHILE DOING SO THEY SAW SOME JAPANESE
IN THE STRAFE PIT PICKING UP BRASS APPROXIMATELY ONE-
QUARTER MILE FROM THE SOUTH TOWER. JOHNSON AND
LOCKE DROVE TO THE AREA TO CHASE THIS GROUP FROM
THE RANGE. ENROUTE TO THE STRAFE PIT, THE
JAPANESE RAN. WHEN JOHNSON AND LOCKE ARRIVED AT THE
STRAFE PIT THE JAPANESE WERE APPROXIMATELY 400 YARDS
AWAY ON THE BEACH. LOCKE GOT OUT OF THE TRUCK AND
FIRED THE FLARE GUN SKYWARD TOWARD THE GROUP. THE
FLARE LANDED APPROXIMATELY 15 FEET FROM THE JAPANESE.
JOHNSON AND LOCKE THEN WENT TO THE NORTH END OF THE
STRAFE PITS TO PICK UP THE TARGETS AND ACOUSTIC

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SCORER. WHEN THEY GOT BACK INTO THE TRUCK THEY
AGAIN OBSERVED APPROXIMATELY 15 OR 20 JAPANESE AT
THE SOUTH END OF THE PITS PICKING UP BRASS. JOHNSON
DROVE TOWARDS THE GROUP AND WHILE ON THE WAY TO THE
SOUTH END LOCKE RELOADED THE FLARE PISTOL. WHEN
THE ENLISTED MEN WERE APPROXIMATELY 100 YARDS
FROM THE JAPANESE, THE JAPANESE SPLIT INTO TWO
GROUPS, ONE WALKING NORTH AND ONE WALKING SOUTH,
WITH THE EXCEPTION OF ONE JAPANESE WHO RAN TOWARDS
THE FENCE. THIS INDIVIDUAL HAD A HEAD BAND ON AND
WAS CARRYING A BAG IN HIS LEFT HAND; LOCKE TOLD
JOHNSON TO CHASE HIM. WHEN THEY WERE APPROXIMATELY
50 YARDS BEHIND THE RUNNING MAN, JOHNSON SHOUTED OUT
THE WINDOW FOR THE JAPANESE TO HALT. HE DID NOT.
WHEN THE JAPANESE REACHED THE WIRE FENCE JOHNSON
AND LOCKE WERE ABOUT 20 FEET FROM HIM. JOHNSON
TURNED THE TRUCK SO THAT LOCKE'S SIDE WAS TOWARD

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THE JAPANESE. WHEN THE TRUCK STOPPED, LOCKE,
ACCORDING TO HIS STATEMENT, AIMED A WARNING SHOT
TO THE LEFT OF THE JAPANESE AND FIRED THE FLARE

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GUN ACCIDENTALLY HITTING HIM IN THE WRIST, BREAKING
TWO BONES AND BURNING HIM. THE JAPANESE DROPPED
THE BAG HE WAS CARRYING AND FELL APPROXIMATELY
TWO FEET OUTSIDE THE FENCE. THE INDIVIDUAL'S FATHER
APPROACHED AND BOTH HE AND HIS SON WERE TAKEN TO
THE OKINAWAN RANGE GUARD. IT HAS BEEN ESTABLISHED
THE SIGNS WRITTEN IN JAPANESE AND ENGLISH WARNING
PEOPLE TO STAY OFF THE RANGE WERE STILL POSTED.
THERE IS NO QUESTION BUT WHAT THE JAPANESE WERE
TRESPASSERS AND THEIR SOLE REASON FOR BEING IN THE
PIT AREA WAS TO STEAL THE EXPENDED BRASS. THEY
COULD NOT HAVE BEEN IN THE STRAFE PIT AREA TO CUT
FODDER AS WAS ANNOUNCED SINCE THE GRASS THERE IS
VERY SHORT. UNQUOTE.

5. WE NOTE NO SERIOUS DISCREPANCY BETWEEN THE US
AND JAPANESE STATEMENTS ON ANY MATERIAL POINTS.
THE SECOND SENTENCE OF THE FIFTH PARA OF THE
JAPANESE STATEMENT MAY BE IN ERROR AS THERE IS NO
PRIOR EVIDENCE VICTIM AND HIS FATHER QUOTE HEADED
FOR THE STRAFE PIT AREA BY A PICKUP TRUCK UNQUOTE.

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WE WILL SEEK CLARIFICATION OF THIS MINOR
DISCREPANCY.

6. AT THE REQUEST OF THE JAPANESE CHAIRMAN, THE
NEXT MEETING WAS SCHEDULED FOR 1400 HRS, 28 AUG 74,
AT THE LAWYERS' CLUB IN TOKYO.
UNQUOTE HODGSON

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